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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Chen et al.

Serial No. 10/002,722

Filing Date: 12/5/01

For: **DTX Detection Method with High
Success Probability**

Attorney Docket No. 4015-1702

Commissioner for Patents
BOX FILING DATE
Washington, D.C. 20231

FAX RECEIVED

MAY 15 2002

Group Art Unit: PETITIONS OFFICE

Raleigh, North Carolina
January 7, 2002

**REQUEST FOR AWARD OF PRIORITY MAILING DATE
AS THE APPLICATION FILING DATE DUE TO POSTAL EMERGENCY**

Sir:

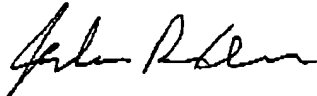
The above-identified application was refused by the United States Post Office for delivery to the United States Patent and Trademark Office (USPTO) by Express Mail on November 16, 2001. This refusal stemmed from the temporary suspension of Express Mail delivery to certain Washington, D.C. ZIP codes, including the 20231 ZIP code associated with the USPTO.

In accordance with guidance from the USPTO, the application paperwork was mailed using priority mailing procedures on November 16, 2001. The application paperwork as submitted included the Express Mail Label Number that would have been used. A signed statement by the employee who attempted the express mailing is attached herewith, and a copy of original Express Mail certificate and the returned postcard are enclosed.

The filing receipt (copy enclosed) indicates that the application was assigned the filing date of **December 5, 2001**. This date should be changed to **November 16, 2001**, the attempted date of express mailing. No formal petition or fees should be required for this change of filing date because of the declared postal emergency. However, if a petition is required, please consider this letter as such, and the Commissioner is hereby authorized to charge any required fees to Deposit Account 18-1167.

Request for Filing Date Change
Application Serial No. 10/002,722

Respectfully submitted,
Coats & Bennett, P.L.L.C.

By: 

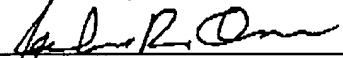
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CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS DOCUMENT IS BEING DEPOSITED WITH THE UNITED STATE POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID, IN AN ENVELOPE ADDRESSED TO: Commissioner for Patents, BOX FILING DATE, Washington, D.C. 20231

Signature: _____

Date: 7/8/02

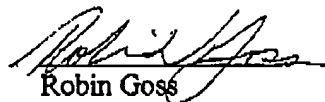
STATEMENT BY ROBIN GOSS RE: REFUSAL OF EXPRESS MAIL

I, Robin Goss, attempted to mail an application for United States Patent entitled "DTX Detection Method with High Success Probability," and now assigned Application Ser. No. 10/002,722, on November 16, 2001, using the Express Mail "Post Office to Addressee" procedures provided for by 37 C.F.R. § 1.10. The Express Mailing Label No. used was "EV 014468805 US." The Express Mail envelope was refused by the United States Post Office located at 150 Wrenn Dr, Cary, NC 27511.

This refusal stemmed from the temporary suspension of Express Mail service to Washington, D.C., ZIP codes 202xx through 205xx, which suspension began on November 16, 2001, under authority of the Chief Operating Officer of the United States Postal Service.

Because of the Post Office's refusal to accept the application as Express Mail, I deposited the complete application paperwork for the above-identified application as priority mail on that same day, November 16, 2001.

I hereby declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


Robin Goss

1-7-02
Date